

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.* Ann Schweiger,
STATE OF NEW YORK *ex rel.* Ann Schweiger, and
ANN SCHWEIGER, Individually,

17 Civ. 900 (PAE)

Plaintiffs,

-v-

VISITING NURSE SERVICE OF NEW YORK,
VISITING NURSE SERVICE OF NEW YORK
COMMUNITY HEALTH SERVICES, and VISITING
NURSE SERVICE OF NEW YORK HOME CARE,

Defendants.

ORDER

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

-v-

VISITING NURSE SERVICE OF NEW YORK
d/b/a VNS HEALTH, VISITING NURSE SERVICE
OF NEW YORK HOME CARE II d/b/a VISITING
NURSE SERVICE OF NEW YORK HOME CARE,
and VNS BEHAVIORAL HEALTH, INC.,

Defendants.

PAUL A. ENGELMAYER, District Judge:

By notice on June 17, 2024, and pursuant to the False Claims Act, 31 U.S.C.

§§ 3730(b)(2) and (4), the United States of America (the “Government”) and the State of New York (the “State”) intervened in the above-captioned qui tam action with respect to claims asserted against defendants Visiting Nurse Service of New York d/b/a VNS Health, Visiting Nurse Service of New York Home Care II d/b/a Visiting Nurse Service of New York Home Care, and VNS Behavioral Health, Inc. Dkts. 22, 26. On June 25, 2024, the Government and

State entered into settlement agreements with relator Ann Schweiger (“Relator”) and the aforementioned defendants. Dkts. 23–25. On July 18, 2024, Relator dismissed the qui tam action, with prejudice, against all named defendants, except Visiting Nurse Service of New York Community Health Services. Dkts. 29–30.

The Court directs the parties to submit a joint status update on the docket of this case by October 17, 2024. The update should address (1) the status of defendant Visiting Nurse Service of New York Community Health Services, (2) whether the Government or State intend to intervene with respect to that defendant, and (3) whether Relator intends to dismiss the qui tam action, with prejudice, against same.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: October 10, 2024

New York, New York